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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Bennett, et al.

Serial No.: 09/315,292

Filing Date: May 20, 1999

For: **COMPOSITIONS AND METHODS FOR THE PULMONARY DELIVERY
OF NUCLEIC ACIDS**

Group No.: 1635

Examiner: M. Shibuya

DATE OF DEPOSIT: June 18, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING
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PATENTS, WASHINGTON, DC 20231

TYPED NAME: Emma Dailey
REGISTRATION NO.: P-48,491

BOX AF

Assistant Commissioner for Patents
Washington DC 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **January 19, 2001** finally rejecting claims **37-59, 61, 63 and 64** of the above-identified patent application.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.

☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(4)) for the total number of months checked below:

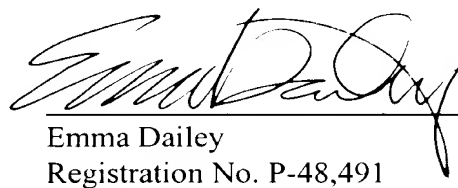
	SMALL ENTITY		NOT SMALL ENTITY	
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$195	\$	\$390	\$390
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$445	\$	\$890	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$695	\$	\$1390	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$945	\$	\$1890	\$
<input checked="" type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$195)
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$155	\$	\$310	\$310
TOTAL FEE DUE				\$505

3. FEE PAYMENT

- ☒ A check in the amount of \$ 505 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$__. A duplicate of this transmittal is attached.
- ☒ The Commissioner is hereby requested to grant an extension of time for the

appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

Date: June 18, 2001


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Registration No. P-48,491

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